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Facsimile Cover Sheet

P-8032.00

To: Examiner Oropeza
Company: U.S. Patent and Trademark Office
Phone:
Fax: 703 872 9306

From: Michael C. Soldner
Company:  **Medtronic**
Phone: 763 514 4842
Fax: 763 505 2530

Date: November 4, 2004

**Pages including this
cover page:** ● 11

Comments: RE: P-8032.00
Serial No. 09/842,404
Applicants: Chester L. Struble
Filed: April 26, 2001
Title: Diagnostic Features in Bi-Atrial and/or Bi-Ventricular Pacing Systems

Attached please find the following documents:

- X Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a)
- X Copy of RCE Request, Request for One-Month Extension of Time, Fax Confirmation Sheet and Auto-Reply Facsimile Transmission
- X Copy of Notice of Abandonment
- X Transmittal

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DOCKET NO.: P-8032.00IN THE UNITED STATES PATENT AND TRADEMARK OFFICEPETITION TO WITHDRAW HOLDING OF ABANDONMENT TRANSMITTAL

In re Application of: Chester L. Struble

For: Diagnostic Features in Bi-Atrial and/or Bi-Ventricular Pacing Systems

Serial No.: 09/842,404

Filed: April 26, 2001

CERTIFICATE OF MAILING UNDER 37 CFR 1.8: I hereby certify that this **PETITION TRANSMITTAL** and the paper(s), as described herein, are being sent via facsimile No. (703) 872 9306 to the Office of Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 4th day of November, 2004.

Signature

Sue McCoy
Printed Name**Attn: Publications**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- X Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a)
- X Copy of RCE Request, Request for One-Month Extension of Time, Fax Confirmation Sheet and Auto-Reply Facsimile Transmission
- X Copy of Notice of Abandonment

☐ Applicant hereby petitions for a _____ months' extension of time. If an additional extension of time is required, please consider this petition therefor.

- X Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Petition Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

November 4, 2004
DateMichael C. Soldner
Michael C. Soldner
Reg. No. 41,455
Telephone: (763) 514-4842
Customer No. 27581



Auto-Reply Facsimile Transmission



TO:

Fax Sender at 7635146982

Fax Information

Date Received:

7/27/2004 3:17:41 PM [Eastern Daylight Time]

Total Pages:

3 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page



JUL 27 2004 3:17 PM 7635146982 MEDTRONIC AC 1526



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From: Michael C. Soldner
Company: Medtronic
Phone: 763 514 4842
Fax: 763 505 2530

Date: July 27, 2004

**Pages including this
cover page:** 3

Comments: Applicant: Glenzer L. Scoble
SIC: 09042404
Filed: April 20, 2003
Pat: Diagnostic Features in Cardiac And/or Bi-Mechanical Pacing
Systems
DOCKET: 1-4000-00
Group Art Unit: 2792

☒ Request for Continued Examination (RCE) Transmitted
☒ Request for One-Month Extension of Time

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PAGE 05 * RCV'D AT 7/27/2004 3:17:41 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-1/7 * DNIS:8729306 * CSID:7635146982 * DURATION (mm-ss):02:52

NOV. 4. 2004 1:49PM

7635146982 MEDTRONIC

NO. 3020 P. 6 P. 1

* * * COMMUNICATION RESULT REPORT (JUL. 27. 2004 2:18PM) * * *

FAX HEADER 1: 7635146982 MEDTRONIC
FAX HEADER 2: 7635146982 MEDTRONIC

TRANSMITTED/STORED : JUL. 27. 2004 2:16PM
FILE MODE OPTION

ADDRESS

RESULT

PAGE

1526 MEMORY TX

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OK

3/3

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-3) NO ANSWER

E-2) BUSY
E-4) NO FACSIMILE CONNECTION



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Systems
DOCKET: P-8032.00
Group Art Unit: 3762

- X Request for Continued Examination (RCE) Transmittal
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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,404	04/26/2001	Chester Struble	P-8032	9095
27581	7590	10/19/2004	EXAMINER	
MEDTRONIC, INC. 710 MEDTRONIC PARKWAY NE MS-LC340 MINNEAPOLIS, MN 55432-5604			OROPEZA, FRANCES P	
			ART UNIT	PAPER NUMBER
			3762	

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKET

5-11-9-24 Notice of Abandonment MCS

RECEIVED

OCT 22 2004

LAW DEPARTMENT
MEDTRONIC, INC

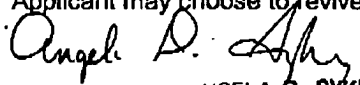
Notice of Abandonment	Application No.		Applicant(s)	
	09/842,404		STRUBLE, CHESTER	
	Examiner		Art Unit	
	Frances P. Oropeza		3762	

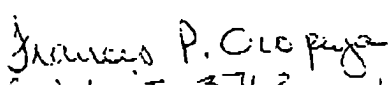
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 22 March 2004.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

A call was placed to the Applicant's Agent, Mr. Michael C. Soldner, on 10/11/04 to check the status of the case. Mr. Soldner indicated it was not the intent to abandon the application, but no response/ proof of response was available. This application is being abandoned for lack of a timely response. The Applicant's Agent indicated the Applicant may choose to revive this application.


ANGELA D. SYKES
PTENT EXAMINER


Frances P. Oropeza
Art Unit 3762

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effect on the application.

U.S. Patent and Trademark Office
PTOL-1432 (Rev. 04-01)

Notice of Abandonment

Part of Paper No. 20041011

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